

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

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| IN RE: OFFICE OF CONSUMER ADVOCATE, Complainant, vs. EXCEL TELECOMMUNICATIONS, INC., Respondent. | DOCKET NO. FCU-04-25 |
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**ORDER APPROVING SETTLEMENT AGREEMENT AND
ASSESSING CIVIL PENALTY**

(Issued August 4, 2004)

On August 3, 2004, the Consumer Advocate Division of the Department of Justice and Excel Telecommunications, Inc. (Company), filed a settlement agreement and joint motion for approval of the settlement agreement. No one filed an objection to the settlement agreement.

The settlement agreement provides, among other things, that the Company will pay a civil monetary penalty of \$500 due 30 days after entry of a Board order approving the agreement.

The settlement agreement is reasonable in light of the record, is consistent with applicable law, is in the public interest, and should be approved.

199 IAC 7.2(11).

IT IS THEREFORE ORDERED:

1. The joint motion for approval of the settlement agreement is granted and the settlement agreement filed by the parties on August 3, 2004, is approved.

2. Pursuant to Iowa Code § 476.103 (2003) and the settlement agreement, the Company is assessed a civil penalty in the amount of \$500. The civil penalty is due in the office of the Executive Secretary of the Board within 30 days of the issuance of this order.

UTILITIES BOARD

/s/ Amy L. Christensen
Amy L. Christensen
Administrative Law Judge

ATTEST:

/s/ Sharon Mayer
Executive Secretary, Assistant to

Dated at Des Moines, Iowa, this 4th day of August, 2004.